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10/023,008	12/12/2001	Igor Davidovich Kushnirskiy	0007056-0233/P6791	2453

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EXAMINER

TRUONG, LECHI

ART UNIT

PAPER NUMBER

2194

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,008

Applicant(s)

KUSHNIRSKIY, IGOR  
DAVIDOVICH

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5-15,17-27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-15,17-27 and 29-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

  
**WILLIAM THOMSON**  
**SUPERVISORY PATENT EXAMINER**

### DETAILED ACTION

1. Claims 1, 2, 3, 5-15, 17-27, 29-36. Claims 4, 16, 28 are cancelled.


#### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-3, 5 -12, 22- 24, 15, 17-27, 29-36 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.

3. Claims 1, 3, 11, and 23 are non-statutory because they are not tangibly embodied in a manner so as to be executable.

Claims 1, 3, 11, 23 define “ API ” in the preamble and the body of the claim recites “ a non-scriptable plug-in API ”, “ a scriptable plug-in API ”, “ first interface”, “ second interface”, a proxy support interface. A non-scriptable plug-in API, a scriptable plug-in API, first interface, second interface appear to be software modules, and a proxy support interface which are software, <sup>per se.</sup> Therefore, claims 1, 3, 11, 23 are non-statutory because they recite system claims that comprise software embodiments. 

4. Claim 15 is directed to method steps, which appear to be abstraction, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. The claimed steps do not define the machine of computer implemented process and therefore, they are abstraction.

5. Claims 25-26, 27, 29-36 are rejected as non-statutory because it is not tangibly embodied.

Claims 25, 27, 35 define a computer readable medium in the preamble. However, the specification discloses this medium to be a computer data signal embodied in a carrier wave. Carrier waves are not the tangible medium; therefore, claims 25, 27, 35 are non-statutory.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5, 9, 10, 13-15, 17, 21-22, 25-27, 29, 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Lewallen (US. Patent 6,854,123 B1).

**As to claim 1**, APA teaches the invention substantially as claimed including: An application program interface (API)(An application program interface (APA), page 2, ln 4-7), a non-scriptable plug-in API (plug-in APIs are non-scriptable, page 2, ln 4-7), a scriptable plug-in APA (scripting languages, page 4, ln 17-19).

APA does not explicitly teach a plurality of bridges operatively configured to connect said scriptable and said non-scriptable plug-in APIs such that a scriptable plug-in program is able

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to access to the non-scriptable plug-in API in response to implementing the scriptable plug-in API. However, Lewallen teaches a plurality of bridges operatively configured to connect said scriptable and said non-scriptable plug-in APIs (mixed statement program 2a, b, c include the W3C HTML API interface to implement a user interface using the underlying UI object 14 supported in the user interface 10 ( col 6 ln 40-45), HTML is a script language/ The user interface such as a Mozilla browser( col 4, ln 1-5), the Mozilla browser implement HTML user the DOM moder and API( col 9, ln 56-59), the use interface for a program written in a different program language such as Java( col 10, ln 11-14/the accompanying linkage data structures from the corresponding java object 30 to a new UI object, col 7, ln 46-49/ the brigde 4 including its APA mappings, col 10, ln 51-55), a scriptable plug-in program is able to access to the non-scriptable plug-in API in response to implementing the scriptable plug-in API (a mapping of at least one user interface API interface corresponding to the determined standard API interface user interface API interfaces provide an implementation of the standard API interfaces in a user interface program, col 3, ln 42-45/ col 5, ln 35-40/col 9, ln 15-20/col 11, ln 32-37).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA and Lewallen because Lewallen's a plurality of bridges that a scriptable plug-in program is able to access to the non-scriptable plug-in API in response to implementing the scriptable plug-in API would improve the efficiency of APA's system by allowing the java developer to utilize the API interface standards to access non-Java components in the operating system.

**As to claim 2**, Lewallen teaches the scriptable plug-in API has a plurality of first interfaces (col 4, ln 56-61), the non-scriptable plug-in API has a plurality of second interface (col

6, ln 1-5/ Fig. 1), each of said bridges connects a respective one of the said first interfaces to respective one of said second interface (col 10, ln 51-57).

**As to claim 3**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Lewallen teaches a cross platform language API (the bridge 4 including its API mappings, col 10, ln 51-55/ Fig. 1), a first interface (W3C API interface calls, col 5, ln 34-40), a second interface (the corresponding UI API 12 interface, col 5, ln 65-67 to col 6, ln 1-5), a second interface operatively configured to connect said non-scriptable plug-in API and said cross platform language API such that said scriptable language API able to access said non-scriptable plug-in API (col 6, ln 9-15).

**As to claim 5**, Lewallen teaches, a non –scriptable object (the UI APIs 12, Fig. 1), such that said cross platform language object operates as a proxy for said non-scriptable plug-in object (col 8, ln 30-36).

**As to claim 9**, APA teaches a JavaScript object, a perl object, a Python object (sec: Plug-In API, ln 4-6).

**As to claim 10**, Lewallen teaches XPCOM (col 6, ln 58-61).

**As to claims 13, 14**, they are apparatus claims of claims 1, 2; therefore, they are rejected for the same reasons as claims 1, 2 above.

**As to claim 15**, it is an apparatus claim of claim 3; therefore, it is rejected for the same reason as claim 3 above. In additional, APA teaches obtaining (create, page 2, ln 4-7).

**As to claim 17**, it is an apparatus claim of claim 5; therefore, it is rejected for the same reason as claim 5 above.

As to claims 21, 22, they are apparatus claims of claims 9, 10; therefore, they are rejected for the same reasons as claims 9, 10 above.

As to claims 25, 26, they are apparatus claims of claims 1, 2; therefore, they are rejected for the same reasons as claims 1, 2 above.

As to claims 27, 29, 33-36, they are apparatus claims of claims 15, 17, 9, 10, 23, 24; therefore, they are rejected for the same reasons as claims 15, 17, 9, 10, 23, 24 above.

7. Claims 11-12, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narin et al (Us. 6,691,176 B1) in view of AX (The ActiveX core technology reference).

As to claim 11, Narin teaches a scriptable plug-in (ActiveX control interface 195, col 13, ln 39-44/ ln 64-68/ connector object: an Active X control to be used with, col 6, ln 59-64/ col 9, ln 27-32), a proxy (service manger 190, col 13, ln 62-67/ col 14, ln 1-7/ the service manager and interface act as a proxy, col 14, ln 43-50), a call (the call, col 13, ln 38-34/ ln 62-67/ col 14, ln 1-7/ ln 20-25/ ln 43-50), a proxy support interface wherein said scriptable plug-in is able to perform a call through said proxy support interface(col 4, ln 14-20/col 13, ln 38-34/ ln 62-67/ col 14, ln 1-7/ ln 20-25/ ln 43-50).

Narin do not explicitly teach a call as inter thread call. However, AX teaches inter thread call (Calls from the main apartment (using inter-thread marshaling) and marshaling go to the proxy to the stub, page 7 of 13, ln 33-37/ any other thread that wants to call the object must go through the proxy, page 1 of 23, ln 30-33).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Narin and AX because AX's inter thread call would improve the efficiency of Narin's system by allowing the call control to prevent deadlocks in calls between object and to avoid race conditions in out-of-process servers.

**As to claim 12**, Narin teaches an nsISupports Proxy (col 14, ln 43-53).

**As to claims 23, 24**, they are apparatus claim of claims 11, 12; therefore, they are rejected for the same reason as claims 11, 12 above.

8. Claims **6-8, 18-20, 30-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Lewallen (US. Patent 6,854,123 B1), as applied to claim 1 above, and further in view of XP (XPCom).

**As to claim 6**, APA and Lewallen do not teach XPIDL interface. However, XP teaches XPIDL interface (XPIDL, page 2, ln 14-16).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching APA, Lewallen and XP because XP's XPIDL interface would improve the efficiency of APA and Lewallen's systems by allowing the compiler to compile the files to produce a cross platform binary type library.

**As to claim 7**, XP teaches a second interface is Xpconnect interface (Xpconnect, page 2, section: XPConnect and the Component object, ln 1-3).

**As to claim 8**, XP teaches a typelib files (sec: The XPIDL compiler, ln 12).



As to claims 18-20, 30-32, they are apparatus claims of claims 6-8; therefore, they are rejected for the same reasons as claims 6-8 above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

January 9, 2006

  
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